

NATURAL RESOURCES BOARD

Minutes

The regular meeting of the Natural Resources Board was held on Wednesday, January 22, 2003, in Room 027 of the State Natural Resources Building (GEF 2), Madison Wisconsin. The meeting was called to order at 8:35 a.m. for action on Items 1 and 2. The meeting recessed at 8:40 a.m. and reconvened at 2:00 p.m.

PRESENT: Trygve A. Solberg, Chair
James E. Tiefenthaler, Vice Chair
Gerald W. O'Brien, Secretary
Herbert F. Behnke
Jonathan P. Ela
Stephen D. Willett

ABSENT: Howard D. Poulson

Chairman Solberg welcomed and introduced Secretary Scott Hassett.

Secretary Hassett stated that he was very happy to be with the Department and excited about his position. He further stated that the action within the agency has been wonderful.

Chairman Solberg welcomed Jonathan Ela, new Board Member.

Board Member Ela thanked the Chairman and stated that he has known members of the Natural Resources Board for years, that they have been standing conservationist and fine citizens, and he was honored to follow in those footsteps.

Chairman Solberg handed out the new Wisconsin State Park System pamphlet to all Board Members.

ORDER OF BUSINESS

1. Minutes to be approved.

1.A. Full Board Minutes of December 4, 2002.

Mr. Tiefenthaler MOVED, seconded by Mr. Willett, approval of the Full Board Minutes of December, 2002, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

1.B. Committee of the Whole Minutes of December 4, 2002.

Mr. Willett MOVED, seconded by Mr. Behnke, approval of the Committee of the Whole Minutes of December, 2002, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

1.C. Conference Call Minutes of January 7, 2003.

Mr. Tiefenthaler MOVED, seconded by Mr. Willett, approval of the Conference Call Minutes of January, 2003, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

1.D. Agenda for January 22, 2003.

Secretary Hassett requested the following changes: Defer items 3.B.4. Adoption Order FH-04-02 - revision of Chapter NR 20 and repeal and recreate Chapter NR 20.20, pertaining to Fishing regulation for bass on the Lower Wisconsin River; 3.B.6. Authorization for hearing on revision of Chapter NR 17, pertaining to standards for dog training, trialing, and dog clubs; 3.B.7. Authorization for hearing on revision of Chapter NR 16, pertaining to standards for fur farms; 3.B.8. Authorization for hearing on revision of Chapter NR 16, pertaining to standards for white-tailed deer farm fences and new deer farms; 3.B.9. Authorization for hearing on revision of Chapters NR 12 and NR 19, pertaining to standards for rehabilitation license; 3.B.10. Spread Eagle Barrons Natural Area land acquisition – Florence County; 3.B.11. Pine-Popple Wild Rivers land acquisition – Florence County; and add items 4.E. 10. Retirement Resolution of Gregory Langrehr and 4.E.11. Retirement Resolution for Ronald Schwerdtfeger.

With those changes, **Mr. Willett MOVED, seconded by Mr. Tiefenthaler, approval of the agenda for January 22, 2003, as amended. The motion was carried unanimously by those members present. (Mr. Poulson was absent).**

2. Ratification of acts of the Department Secretary.

2.A. Real estate transactions.

Mr. Willett MOVED, seconded by Mr. Tiefenthaler, approval of the real estate transactions, as printed. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

3. Operating Committees.

Mr. Willett stated that the Committee met and welcomed Mr. Jonathan Ela, new Board Member, who brings a lot of talent to their Committee, as well as a lot of experience, and they are excited to have him.

3.A. Air, Waste and Water/Enforcement Committee.

3.A.1. Minutes of December 4, 2002.

The Committee recommended and Mr. Willett MOVED, seconded by Mr. Willett, approval of the minutes of December 4, 2002, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

3.A.2. Adoption of Order AM-20-02 – revision of Chapter NR 447, Wis. Adm. Code, pertaining to creating an asbestos citation system.

Mr. Willett recommended to amend the adoption to exclude the wording of "or inactive" on page 17, third line down, of the order.

The Committee recommended and Mr. Willett MOVED, seconded by Mr. Ela, adoption Order AM-20-02 - revision of Chapter NR 447, Wis. Adm. Code, pertaining to creating an asbestos citation system, as amended. The order was carried unanimously by those members present. (Mr. Poulson was absent).

- 3.A.3. Adoption of Order RR-41-02 – revision of Chapter NR 169, Wis. Adm. Code, pertaining to dry cleaner environmental response fund program rule.

The Committee recommended and Mr. Willett MOVED, seconded by Mr. Ela, adoption Order RR-41-02 - revision of Chapter NR 169, Wis. Adm. Code, pertaining to dry cleaner environmental response fund program rule, as presented. The order was carried unanimously by those members present. (Mr. Poulson was absent).

- 3.A.4. Adoption of Order DG-44-02 - revision of Chapters NR 140 and NR 811, Wis. Adm. Code, pertaining to the design and operation of aquifer storage and recovery systems.

The Committee recommended and Mr. Willett MOVED, seconded by Mr. Ela, adoption Order DG-44-02 - revision of Chapters NR 140 and NR 811, Wis. Adm. Code, pertaining to the design and operation of aquifer storage and recovery systems, as presented. The order was carried unanimously by those members present. (Mr. Poulson was absent).

- 3.A.5. Adoption of Order FH-42-02 – repeal and recreation of Chapter NR 191, Wis. Adm. Code, pertaining to lake protection and classification grants.

The Committee recommended and Mr. Willett MOVED, seconded by Mr. Ela, adoption Order FH-42-02 - repeal and recreation of Chapter NR 191, Wis. Adm. Code, pertaining to lake protection and classification grants, as presented. The order was carried unanimously by those members present. (Mr. Poulson was absent).

- 3.A.6. Authorization for hearing on revision of Chapter NR 190 and repeal of Chapter NR 192, Wis. Adm. Code, pertaining to lake management planning grants and lake classification technical assistance grants.

The Committee recommended and Mr. Willett MOVED, seconded by Mr. Ela authorization for hearing on revision of Chapter NR 190 and repeal of Chapter NR 192, Wis. Adm. Code, pertaining to lake management planning grants and lake classification technical assistance grants. The motion was carried unanimously by those members. (Mr. Poulson was absent).

- 3.B. Land, Management Recreation and Fisheries/Wildlife Committee.
3.B.1. Minutes of December 4, 2002.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler, approval of the minutes of December 4, 2002, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

- 3.B.2. Approval to place fisheries regulation changes on the 2003 spring hearing questionnaire and approval of Order FH-04-03 for hearings.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler approval to place fisheries regulation changes on the 2003 spring hearing questionnaire and approval of Order FH-04-03 for hearings as presented with two changes.

Mr. Behnke stated the changes are: page 10 where the northern Wisconsin Muskellunge regulation change would take a number of lakes up to 50 inches, and the lakes listed on page 10 in Oneida and Vilas Counties, the Committee requests that these be viewed as separate questions instead of a question of one category for all of these lakes. The second change would be on page 14, the Committee requests that the Lower Wisconsin question be a two part question: 1) Do you favor starting at Cascade and 2) Do you favor starting at Spring Green. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

- 3.B.3. Approval to place wildlife regulation changes on the 2003 spring hearing questionnaire and approval of Order WM-01-03 for hearings.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. Tiefenthaler approval to place wildlife regulation changes on the 2003 spring hearing questionnaire and approval of Order WM-01-03 for hearings. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

- 3.B.4. Adoption Order FH-04-02 - revision of Chapter NR 20 and repeal and recreate Chapter NR 20.20, Wis. Adm. Code, pertaining to fishing regulation for bass on the Lower Wisconsin River.

This item was deferred to a future meeting.

- 3.B.5. Authorization for hearing on revision of Chapters NR 10 and NR 15, Wis. Adm. Code, pertaining to wildlife management housekeeping.

The Committee recommended and Mr. Behnke MOVED, seconded by Mr. O'Brien authorization for hearing on revision of Chapters NR 10 and NR 15, Wis. Adm. Code, pertaining to wildlife management housekeeping. The motion was carried unanimously by those members. (Mr. Poulson was absent).

- 3.B.6. Authorization for hearing on revision of Chapter NR 17, Wis. Adm. Code, pertaining to standards for dog training, trialing, and dog clubs.

This item was deferred to a future meeting.

- 3.B.7. Authorization for hearing on revision of Chapter NR 16, Wis. Adm. Code, pertaining to standards for fur farms.

This item was deferred to a future meeting.

- 3.B.8. Authorization for hearing on revision of Chapter NR 16, Wis. Adm. Code, pertaining to standards for white-tailed deer farm fences and new deer farms.

This item was deferred to a future meeting.

- 3.B.9. Authorization for hearing on revision of Chapters NR 12 and NR 19, Wis. Adm. Code, pertaining to standards for rehabilitation license.

This item was deferred to a future meeting.

- 3.B.10. Spread Eagle Barrons Natural Area land acquisition – Florence County.

This item was deferred to a future meeting.

- 3.B.11. Pine-Popple Wild Rivers land acquisition – Florence County.

This item was deferred to a future meeting.

4. Committee of the Whole.

- 4.A. Citizen Participation.

This item was taken up during the Committee of the Whole.

- 4.B. Authorization for hearing on revision of Chapters NR 10, NR 19 and NR 45, Wis. Adm. Code, pertaining to Chronic Wasting Disease and informational update.

This item was taken up during the Committee of the Whole.

Mr. Behnke MOVED, seconded by Mr. O'Brien authorization for hearing on revision of Chapters NR 10, NR 19 and NR 45, Wis. Adm. Code, pertaining to Chronic Wasting Disease and informational update. The motion was carried by a vote of four to two by those members present. (Mr. Poulson was absent).

Yes

Herbert Behnke

Jonathan Ela

Gerald O'Brien

Chairman Solberg

Opposed

James Tiefenthaler

Stephen Willett

- 4.C. INFORMATIONAL ITEM – Wisconsin's Shoreland Management Program Update.

This item was taken up during the Committee of the Whole. No action was taken on this informational item.

- 4.D. INFORMATIONAL ITEM - recommendations in the Cooperative Management Plan for the Lower St. Croix National Scenic Riverway.

This item was taken up during the Committee of the Whole. No action was taken on this informational item.

- 4.E. Retirement Resolutions.

4.E.1. Ronald Capacio.

4.E.2. Terry Carpenter.

4.E.3. Ron Halvorson.

4.E.4. Kenneth Johnson.

4.E.5. Orland Luedtke.

4.E.6. Lawrence Moussette.

4.E.7. Donald Olson.

4.E.8. Susan Wallace.

4.E.9. Larry Willems.

4.E.10. Gregory Langrehr.

4.E.11. Ronald Schwerdtfeger.

This item was taken up during the Committee of the Whole.

Mr. O'Brien MOVED, seconded by Mr. Behnke, approval of the retirement resolutions, as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

5. Board Members' Matters.

This item was taken up during the Committee of the Whole.

5.A. Election of Officers.

Election of Officers was taken up at the end of the meeting. The results of the election are as follows:

Mr. Willett nominated Mr. Solberg for the office of CHAIR of the Natural Resources Board, Mr. Tiefenthaler for the office of VICE-CHAIR of the Natural Resources Board, and Mr. O'Brien for the office of SECRETARY of the Natural Resources Board, seconded by Mr. Behnke. Mr. Solberg, Mr. Tiefenthaler, and Mr. O'Brien were elected unanimously by those members present. (Mr. Poulson was absent).

5.B. Steve Oestreicher, Conservation Congress Chair, to speak on several issues.

This item was taken up during the Committee of the Whole.

6. Special Committees' Reports.

This item was taken up during the Committee of the Whole.

7. Department Secretary's Matters.

7.A. Request from the Assembly Committee on Environment for Modification to Order CF-30-02 creating Chapter NR 549, Wis. Adm. Code, pertaining to the creation of a Recycling Efficiency Incentive grant program. (Adopted by NRB on August 14, 2002) (Item 6.A.7., Minutes of August 14, 2002).

Mr. Tiefenthaler MOVED, Mr. O'Brien seconded the Request from the Assembly Committee on Environment for Modification to Order CF-30-02 creating Chapter NR 549, Wis. Adm. Code, pertaining to the creation of a Recycling Efficiency Incentive grant program. (Adopted by NRB on August 14, 2002) (Item 6.A.7., Minutes of August 14, 2002), as presented. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

7.B. DONATION - from Safari Club International-Wisconsin Chapter for a gift of \$10,000 for pothole restoration at Horicon Marsh.

Mr. Jim Frey, President of the Wisconsin Chapter of the Safari Club, was scheduled to accept the certificate but was not present.

Mr. O'Brien MOVED, seconded by Mr. Tiefenthaler, acceptance of the donation. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

7.C. DONATION - from the Friends of Crex Meadows, Incorporated for a gift of \$44,900 paid in four installments of \$10,000 for the Crex Meadows Wildlife Education Center.

Mr. Behnke MOVED, seconded by Mr. Willett, acceptance of the donation. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

7.D. DONATION - from the Friends of Horicon Marsh for a gift of \$6,160 for LTE salary costs of an assistant naturalist at the center.

Mr. Behnke MOVED, seconded by Mr. Tiefenthaler, acceptance of the donation. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

- 7.E. DONATION - from the Natural Resources Foundation of Wisconsin for a gift of \$6,000 to the Bureau of Endangered Resources for the purpose of covering whooping crane reintroduction vehicle support and maintenance.

Mr. Ron Semmann, Chair, and Ms. Lorie Osterndorf, Executive Director, of Natural Resources Foundation of Wisconsin were present to accept the certificate.

Mr. Tiefenthaler MOVED, seconded by Mr. O'Brien, acceptance of the donation. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

- 7.F. DONATION - from the Sturgeon for Tomorrow for a gift of \$5,000 for the Wild Rose State Fish Hatchery for the sole purpose of buying food to feed young sturgeon that are hatched and raised there.

Mr. Bill Casper, President of Sturgeon for Tomorrow, and Steve Fajfer, Wild Rose Fish Hatchery Westfield Subteam Leader, were present to accept the certificate.

Mr. Ela MOVED, seconded by Mr. Behnke, acceptance of the donation. The motion was carried unanimously by those members present. (Mr. Poulson was absent).

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The Meeting Adjourned at 2:30 p.m.